

**PUBLIC SAFETY
AND
LEGAL ADMINISTRATION COMMITTEE
MINUTES**

MAY 27, 2008

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, May 27, 2008 at 3:45 p.m., in Committee Room #2**. The following members were present:

**The Honorable Cleta Winslow, Chair
The Honorable C. T. Martin, Vice-Chair
The Honorable Carla Smith
The Honorable Anne Fauver
The Honorable Joyce Sheperd
The Honorable H. Lamar Willis**

Others present at the meeting were: City Attorney Elizabeth Chandler, Roger Bhandari, Jerry Deloach, Dianne Mitchell, and Amber Robinson, Law Department; Deputy Chief W. Meadows, Atlanta Fire and Rescue Department; Deputy Chiefs Carlos Banda and Peter Andresen, Police Department; Raines Carter, City's Solicitor; the media, public and council staff.

Chair Cleta Winslow called the meeting to order at 3:45 p.m. after declaring a quorum present. She then proceeded with the following order of business.

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF MINUTES - APPROVED

C. ANNOUNCEMENTS

- 1. The Public Safety and Legal Administration Committee will reschedule a tour of the City's Pretrial Detention Center at a later date.**
- 2. On June 4, 2008, the Public Safety and Legal Administration Committee will hold a work session at 10:00 a.m. in Committee Room #2 regarding pending ordinances dealing with both Public and Private Property vending.**

CONSENT

D. RESOLUTIONS

Claims with favorable recommendations:

- 08-R-1061 (1) Claim of **James Doyle**, for damages alleged to have been sustained as a result of walking on an uncovered water meter box on June 2, 2007 at 636 Magnolia Street. **\$3,800.00**
- 08-R-1062 (2) Claim of **John Kellat**, for vehicle damages alleged to have been sustained as a result of an unsecured metal plate on July 21, 2007 at 3181 Donald L. Hollowell Parkway. **\$3,138.12**
- 08-R-1063 (3) Claim of **Atlanta Gas Light Company, through its attorney, John C. Williams**, for damages alleged to have been sustained as a result of damage to an underground gas line during the installation of a sewer cleanout on August 7, 2007 at 175 Ormond Street, NE. **\$778.38**
- 08-R-1064 (4) Claim of **Suntaree S. Combs**, for damages alleged to have been sustained as a result of striking a pothole on October 16, 2007 at 2325 Marietta Boulevard. **\$526.80**

Claims with unfavorable recommendations:

- 08-R-1065 (5) Claim of **State Farm Insurance Companies, as subrogee of Dwayne Thomas**, for damages alleged to have been sustained from driving over a piece of metal debris in the road on August 31, 2007 at 1707 Metropolitan Parkway.
- 08-R-1066 (6) Claim of **Crystal D. Boykin**, for vehicular damages alleged to have been sustained from driving over a pothole on January 22, 2008 on Interstate 285 eastbound.
- 08-R-1067 (7) Claim of **Samuel Tompkins**, for damages alleged to have been sustained from the construction of a road during a sewer project in February 2006 at 595 Peyton Road, SW.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-1068 (8) Claim of **Atlanta American Owner, LLC and Columbia Sussex Corporation, through their attorney, Douglas F. Aholt**, for damages alleged to have been sustained as a result of flooding due to a water leak between 2001 to present at 160 Spring Street, NW.
- 08-R-1069 (9) Claim of **Preston and Linda Herren**, for damages alleged to have been sustained as a result of a fallen tree on December 30, 2007 at 1517 Fairview Road, NE.
- 08-R-1070 (10) Claim of **Vankeila Simmons**, for damages alleged to have been sustained as a result of driving over a poorly repaired construction cut on January 5, 2008 at 1155 Niskey Lake Road.
- 08-R-1071 (11) Claim of **Fidelis O. Ogbu**, for property damages alleged to have been sustained from a sewer backup on March 24, 2008 at 434 East Rhinehill Road, SE.
- 08-R-1072 (12) Claim of **Crum & Forster, as subrogee of insured, Capital Development Group, through its attorney, Karen D. Fultz, Esq., Cozen O'Connor**, for property damages alleged to have been sustained from a water service line break on February 2, 2008 at 2748 Donald Lee Hollowell Parkway, NW.
- 08-R-1073 (13) Claim of **Latisha Colbert, through her attorney, Randall Kea Strozier, III**, for damages alleged to have been sustained due to an unlawful entry and arrest on November 18, 2006 at 161 Rhodesia Avenue.
- 08-R-1074 (14) Claim of **Tesha Atkinson**, for damages alleged to have been sustained as a result of striking a construction cut on January 28, 2008 at Peachtree Street and 17th Street.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-1075 (15) Claim of **Joel Murovitz, through his attorney, Annette Kerlin McBrayer, Esq., Epstein Becker & Green, P. C.** for damages alleged to have been sustained due to the existence of two sanitary sewer lines located underneath a residence on October 16, 2007 at 940 Austin Avenue, SE.
- 08-R-1076 (16) Claim of **Durie Baker, through his attorney, Randall Kea Strozier, III**, for damages alleged to have been sustained due to an unlawful entry and arrest on November 18, 2006 at 161 Rhodesia Avenue.
- 08-R-1077 (17) Claim of **Ashleigh Scott**, for vehicular damages alleged to have been sustained due to a collision that resulted from a missing stop sign on January 19, 2008 at 3131 Campbellton Road, SW and Highway 166.
- 08-R-1078 (18) Claim of **Ruth Dyson, through her insurance carrier, Allstate Insurance Company**, for damages alleged to have been sustained as a result of a rock thrown by a City vehicle on July 13, 2007 at 804 Hightower Road.
- 08-R-1079 (19) Claim of **James Thomsen**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on February 5, 2008 at 295 West Wesley.
- 08-R-1080 (20) Claim of **Rebecca Geaslen**, for damages alleged to have been sustained as a result of driving over a manhole cover in December 2007 at the intersection of Moreland Avenue, SE and McPherson Avenue, SE.
- 08-R-1081 (21) Claim of **Brett E. Lauter**, for damages alleged to have been sustained as a result of fallen tree limbs on September 1, 2007 at 933 Edgewood Avenue, NE.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-1082 (22) Claim of **Margaret Naomi Deal, through her attorney, R. David Sammons**, for damages alleged to have been sustained as a result of a fall on October 5, 2007 on a Georgia Regional Transportation Authority bus at Peachtree Street and Ellis Street.
- 08-R-1083 (23) Claim of **Eddie Mae Ware, through her attorney, Michael L. Neff**, for damages alleged to have been sustained as a result of a fall on an airport terminal train on October 18, 2007 at Hartsfield-Jackson Atlanta International Airport.
- 08-R-1084 (24) Claim of **Voster Gilbert**, for damages alleged to have been sustained as a result of driving over a pothole on February 18, 2008 at 921 Ralph David Abernathy Boulevard.
- 08-R-1085 (25) Claim of **Gerald McCord**, for damages alleged to have been sustained as a result of an automobile accident on December 12, 2007 on Northside Drive.
- 08-R-1086 (26) Claim of **Tawnee Gaynell Brooks**, for damages alleged to have been sustained as a result of striking a damaged sewer manhole on February 16, 2008 at 735 Prince Place.
- 08-R-1087 (27) Claim of **Christian Ragin, through his attorney, Edtora Jones**, for damages alleged to have been sustained as a result of being struck by low-hanging utility wires on August 17, 2007 at Peachtree Street and Beverly Road.
- 08-R-1088 (28) Claim of **Sim B. Reid**, for damages alleged to have been sustained as a result of an emergency response by Fire and Rescue on December 23, 2007 at 1022 Westmont Road.
- 08-R-1089 (29) Claim of **Barbara Saliba**, for damages alleged to have been sustained as a result of a vehicle accident on December 12, 2007 on Interstate 75.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-1090 (30) Claim of **Danielle Moore**, for damages alleged to have been sustained as a result of a vehicle accident on December 18, 2007 on Pryor Road between Amal Drive and Moury Avenue.
- 08-R-1091 (31) Claim of **Earle Ifill**, for damages alleged to have been sustained as a result of striking a curb on January 26, 2008 on 2323 Cascade Road, SW.
- 08-R-1092 (32) Claim of **Christopher L. Johnson**, for damages alleged to have been sustained from driving over a pothole on December 14, 2007 on 2804 Yates Drive.
(Councilmember Minutes made a motion to approve Items D1-D32)

FAVORABLE

E. ORDINANCES FOR FIRST READING

- 08-O-1046 (1) An Ordinance by Public Safety and Legal Administration Committee to amend Article IV, Chapter 2, Sections 2-135, 2-396 and 2-397, to create a new Section 2-408 and to amend Article II, Chapter 62, Section 62-28 of the Code of Ordinances of the City of Atlanta, Georgia, so as to consolidate the Solicitor's Office with the Department of Law; to effectuate a reorganization of the Department of Law and Solicitor's Office; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

- 08-O-1047 (2) An Ordinance by Public Safety and Legal Administration Committee amending Ordinance Number 07-O-1223 which amend the 2007 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, the amount of \$4,690,197.00, for grant funds, from the White House Office of National Drug Control Policy, for the purpose of continuing the High Intensity Drug Trafficking Area ("HIDTA") Task Force to disrupt drug trafficking organizations; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

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ORDINANCES FOR FIRST READING (CONT'D)

- 08-O-1147 (3) An Ordinance by Public Safety and Legal Administration Committee to amend the Charter of the City of Atlanta, Georgia, adopted under the authority of the Municipal Home Rule Act of 1965, O.C.G.A. 36-35-1 et seq., as amended, to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws, P. 4469, et seq., by amending Article 4, Courts, Sections 4-106 and 4-109 regarding the appointment of Judges Pro Hac Vice to the Municipal Court of Atlanta; to repeal conflicting ordinances; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

- 08-O-1148 (4) An Ordinance by Public Safety and Legal Administration Committee amending the 2008 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, the amount of \$100,000.00, for a grant awarded by the Criminal Justice Coordinating Council, to assist in combating illegal gang activity; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

REGULAR

F. ORDINANCES FOR SECOND READING

- 08-O-0884 (1) An Ordinance by Finance/Executive Committee to amend Chapter 10, Article I, Section 10-1 of the Code of Ordinances, City of Atlanta, Georgia, so as to amend the definition of the word "Restaurant" to more closely reflect the definition of the term "Bona Fide Full-Service Restaurant" contained in Chapter Three of the Official Code of Georgia Annotated; to repeal conflicting ordinances; and for other purposes.

(Councilmember Winslow made a motion to hold.)

HELD

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ORDINANCES FOR SECOND READING (CONT'D)

- 08-O-0984 (2) An Ordinance by Public Safety and Legal Administration Committee to amend Article XXIII of Chapter 30 of the Code of Ordinances of the City of Atlanta which contains the Code Section applicable to vending on Public Property by replacing said article with new text for the purpose of authorizing and implementing a Public Vending Management Program; and for other purposes. **(Held for a work session 6/4/08 at 10:00 a.m.)**
(Councilmember Winslow made a motion to hold.)

HELD

- 08-O-1125 (3) An Ordinance by Councilmember C. T. Martin amending Chapter 162, Division 5, Section 162-118 of the Code of Ordinances of the City of Atlanta ("City"), Georgia, on behalf of the Department of Police, Bureau of Taxicabs and Vehicles for Hire ("Department"), for the purpose of imposing a Temporary Fuel Surcharge, and increasing the fare for taxicab trips between and to Hartsfield-Jackson Atlanta International Airport and the Buckhead Flat Rate Zone; and for other purposes. **(Advertised for a Public Hearing 6/10/08 at 3:00 p.m.)**
(Councilmember Winslow made a motion to hold.)

HELD

G. RESOLUTIONS

- 08-R-1048 (1) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of TBF Financial , LLC v City of Atlanta, State Court Fulton County, Civil Action File No. 2008VS132767, in the amount of \$3,250.00; authorizing said payment to be charged to and paid from Fund 1A01 (General Fund), Account 529017 (Property Liquidation) and Center Number T31001 (Non-Departmental); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
(Councilmember Fauver made a motion to approve.)

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RESOLUTIONS (CONT'D)

- 08-R-1049 (2) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor, on behalf of the Mayor's Office of Weed and Seed, to apply for and accept, funding in the amount of \$20,000.00 from the State of Georgia for the Together Everyone Achieves More (T.E.A.M.) Building Youth Leadership Initiative; and for other purposes.
(Councilmember Fauver made a motion to approve.)

FAVORABLE

- 08-R-1050 (3) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor, on behalf of the Mayor's Office of Weed and Seed, to apply for and accept funding in the amount of \$150,000.00, from the U. S. Department of Justice Community Capacity Development Office, for the continuation of the Weed and Seed strategy in the English Avenue Community; to provide for matching funds; and for other purposes.
(Councilmember Fauver made a motion to approve.)

FAVORABLE

- 08-R-1051 (4) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor, on behalf of the Mayor's Office of Weed and Seed, to apply for and accept, funding in the amount of \$150,000.00 from the U. S. Department of Justice, Community Capacity Development Office, for the continuation of the Weed and Seed strategy in the Vine City Community; to provide for matching funds; and for other purposes.
(Councilmember Fauver made a motion to approve.)

FAVORABLE

- 08-R-1052 (5) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor, on behalf of the Mayor's Office of Weed and Seed, to apply for and accept, funding in the amount of \$250,000.00 from the U. S. Department of Justice for the Intensive Surveillance Officer Program; and for other purposes.
(Councilmember Fauver made a motion to approve.)

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RESOLUTIONS (CONT'D)

08-R-1053 (6) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate Contractual Agreement with S&W Services, Inc., for FC-6008000003-A, Wrecker Services for vehicles under two (2) tons, for Zone One (1), on behalf of the Atlanta Police Department. All revenues generated under this contract shall be deposited to Fund, Account and Center Number: 1A01 (General Fund), 462316 (Towing Concessions), B00001 (Revenue Center).

(Councilmember Smith made a motion to approve.)

FAVORABLE

08-R-1054 (7) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate Contractual Agreement with Futo's Inc., for FC-6008000003-B, Wrecker Services for vehicles under two (2) tons, for Zone Two (2), on behalf of the Atlanta Police Department. All revenues generated under this contract shall be deposited to Fund, Account and Center Number: 1A01 (General Fund), 462316 (Towing Concessions), B00001 (Revenue Center).

(Councilmember Smith made a motion to approve.)

FAVORABLE

08-R-1055 (8) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate Contractual Agreement with South Metro Towing, for FC-6008000003-C, Wrecker Services for vehicles under two (2) tons, for Zone Three (3), on behalf of the Atlanta Police Department. All revenues generated under this contract shall be deposited to Fund, Account and Center Number: 1A01 (General Fund), 462316 (Towing Concessions), B00001 (Revenue Center).

(Councilmember Smith made a motion to approve.)

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RESOLUTIONS (CONT'D)

- 08-R-1056 (9) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate Contractual Agreement with B&L Wrecker Service, for FC-6008000003-D, Wrecker Services for vehicles under two (2) tons, for Zone Four (4), on behalf of the Atlanta Police Department. All revenues generated under this contract shall be deposited to Fund, Account and Center Number: 1A01 (General Fund), 462316 (Towing Concessions), B00001 (Revenue Center).
(Councilmember Smith made a motion to approve.)

FAVORABLE

- 08-R-1057 (10) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate Contractual Agreement with A-Tow, Inc., for FC-6008000003-E, Wrecker Services for vehicles under two (2) tons, for Zone Five (5), on behalf of the Atlanta Police Department. All revenues generated under this contract shall be deposited to Fund, Account and Center Number: 1A01 (General Fund), 462316 (Towing Concessions), B00001 (Revenue Center).
(Councilmember Smith made a motion to approve.)

FAVORABLE

- 08-R-1058 (11) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate Contractual Agreement with Buckhead Towing, Inc., for FC-6008000003-F, Wrecker Services for vehicles under two (2) tons, for Zone Six (6), on behalf of the Atlanta Police Department. All revenues generated under this contract shall be deposited to Fund, Account and Center Number: 1A01 (General Fund), 462316 (Towing Concessions), B00001 (Revenue Center).
(Councilmember Smith made a motion to approve.)

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RESOLUTIONS (CONT'D)

- 08-R-1059 (12) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate Contractual Agreement with Moody's Wrecker Service, for FC-6008000003-G, Wrecker Services for vehicles under two (2) tons, for Zone Seven (7) (Airport), on behalf of the Atlanta Police Department. All revenues generated under this contract shall be deposited to Fund, Account and Center Number: 1A01 (General Fund), 462316 (Towing Concessions), B00001 (Revenue Center).
(Councilmember Smith made a motion to approve.)

FAVORABLE

- 08-R-1060 (13) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate Contractual Agreement with S&W Services, Inc., for FC-6008000004, Wrecker Services for vehicles over two (2) tons, for all Zones on behalf of the Atlanta Police Department. All revenues generated under this contract shall be deposited to Fund, Account and Center Number: 1A01 (General Fund), 462316 (Towing Concessions), B00001 (Revenue Center).
(Councilmember Smith made a motion to approve.)

FAVORABLE

H. PAPERS HELD IN COMMITTEE

- 06-R-0433 (1) Claim of **Robert Colgin**, for damages alleged to have been sustained as a result of flooding on July 9, 2005 at 3340 Chatham Road, NW. **(Referred back by Council 2/20/06)**
(Held 2/28/06 for further investigation at the request of Councilmember Muller)

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-1044 (2) An Ordinance by Councilmembers H. Lamar Willis and C. T. Martin to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article 2, Section 162-61(a) and Chapter 162, Article 2, Section 162-34(f) to allow short breaks in service for Taxicabs; to allow the Chief of Police or his designee, discretion to grant further extension for correction slip matters; to repeal conflicting ordinances; and for other purposes. **(Held 5/9/06 at the request of Councilmember Martin)**

HELD

- 06-O-1601 (3) An Ordinance by Councilman C. T. Martin to amend Article XXIII (Entitled "Vending on Public Property"), Division 1, Section 30-1401, of the Code of Ordinances of the City of Atlanta, Georgia, so as to exempt Disabled Veterans from most of the provisions of the Public Property Vending Code; to waive conflicting ordinances; and for other purposes. **(Held 8/15/06 for further review)**

HELD

- 07-O-0078 (4) An Ordinance by Councilmember Cleta Winslow **as amended by Full Council** to amend Chapter 30, Article II, Section 30-26 (b), of the City of Atlanta Code of Ordinances, so that meetings of the License Review Board are not held during the month of December; and for other purposes. **(Amended by Full Council and referred back by Council 1/16/07) (Held 1/30/07 so that a copy of the ordinance can be forwarded to the NPU's for review and comment)**

HELD

- 07-O-0249 (5) An Ordinance by Councilmembers Kwanza Hall and Cleta Winslow authorizing the Mayor or her designee to grant an exemption to the City's Distance Requirements for on-premise consumption of alcohol and the sale of wine by the package on the 300 block of Walker Street. **(Held 2/13/07 for further review)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-R-0545 (6) Claim of **Nancy Montgomery**, for damages alleged to have been sustained as a result of a water main break during the installation of a sidewalk on June 6, 2006 at 2340 Hurst Drive, NE. **(Referred back from Council 4/16/07) (Held 5/1/07 at the request of Councilmember Shook)**

HELD

- 07-O-1522 (7) An Ordinance by Councilmembers Anne Fauver and Natalyn Archibong to amend Chapter 18, Article I, of the Code of Ordinances of the City of Atlanta, so as to prohibit the practice of inhumanely chaining or tethering dogs; and for other purposes. **(Held 7/31/07 at the request of the author for further review)**

HELD

- 07-O-1525 (8) An Ordinance by Councilmember Joyce Sheperd to amend Section 122-172 under Chapter 122, Article V, Division 2, of the Code of Ordinances, so as to provide for a review by the affected Neighborhood Planning Unit(s) whenever an application for a license to operate a Secondary Metal Recycler is submitted; and for other purposes. **(Held 7/31/07 at the request of the author for further review. 9/25/07 a motion was approved to forward to the NPU's for review)**

HELD

- 07-O-1526 (9) An Ordinance by Councilmember Joyce Sheperd to amend Section 30-1503(a) under Chapter 30, Article XXV, of the Code of Ordinances, so as to provide for a review by the affected Neighborhood Planning Unit(s) whenever an application for a license to operate a Self-Service Car Wash is submitted; and for other purposes. **(Held 7/31/07 at the request of the author for further review. 9/25/07 a motion was approved to forward to the NPU's for review)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-1795 (10) An Ordinance by Councilmember H. Lamar Willis to establish Chapter 21 of the Code of Ordinances of the City of Atlanta entitled "Transportation of Hazardous Materials"; to create a new Article I to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007," to create a new Division 1 to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007"; so as to prohibit large shipments of certain extremely hazardous materials near the City of Atlanta in an effort to reduce the risk of attacks by terrorists; to allow for the issuance of permits authorizing such shipments in special cases; to require the Mayor to issue regulations to implement the provisions of this act; and for other purposes. **(Held 8/28/07 for further review.)**

HELD

- 07-O-1800 (11) An Ordinance by Councilmembers C. T. Martin, Ceasar C. Mitchell, H. Lamar Willis, Ivory L. Young, Jr. and Joyce Sheperd **as substituted by Public Safety and Legal Administration Committee** to create Section 106-13 of the Code of Ordinances of the City of Atlanta, Georgia to be entitled "Wearing of Pants Below the Waist in Public, Unlawful"; to waive conflicting ordinances; and for other purposes. **(Held 8/28/07 at the request of the author for a work session and a public hearing) (Substituted and held 9/11/07)**

HELD

- 07-O-1879 (12) An Ordinance by Public Safety and Legal Administration Committee to revise the City of Atlanta Code of Ordinances pertaining to secondary metal recyclers by amending the following Sections of Chapter 122, Article V, Divisions I and II; Section 122-151 (Definitions); Section 122-152 (Records Required); and Section 122-157 (Unlawful Acts); Section 122-171 (Required Application); to add the following new Sections to Chapter 122, Article V, Divisions I and II of the

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PAPERS HELD IN COMMITTEE (CONT'D)

City of Atlanta Code of Ordinances: Section 122-158 (Daily Written Report to Police); Section 122-159 (Offenses; Defenses, Penalty); Section 122-160 (Possessor of Secondary Metals); Section 122-161 (License to Possess Secondary Metals); Section 122-162 (Revocation of License to Possess Secondary Metals); and Section 122-170 (Processing Application; Issuance of License, Possessor of Secondary Metals); to waive conflicting ordinances; and for other purposes. **(Public Hearing held on 10/30/07) (Held 10/30/07 for further review)**

HELD

07-O-1905 (13) An Ordinance by Councilmember Mary Norwood to amend Article XXIV vending on Private Property; and for other purposes. **(Held 9/11/07 at the request of the Law Department)**

HELD

07-R-2294 (14) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to approve or reject the decision of the evaluator presiding in the early neutral evaluation process, an alternative dispute resolution process, in the matter of Veolia Water North America Operating Services, LLC v. City of Atlanta, in the U.S. District Court, Northern District of Georgia, Civil Action No. 06-CV-1457-TWT; and for other purposes. **(Held 10/30/07 for further review)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-2513 (15) An Ordinance by Councilmember Ceasar C. Mitchell to amend Ordinance #07-O-2135, adopted October 15, 2007 and approved October 22, 2007, amending Section 10-12 of the City Code, which amendment eliminated the provision allowing persons 18 years of age or older to provide entertainment in any premises licensed for the sale of alcoholic beverages, so as to exempt from said ordinance, those persons currently employed as entertainers with active and valid permits, which will afford such persons a "Grandfathered" status; and for other purposes. **(Held 11/27/07 at the request of the author)**

HELD

- 08-R-0118 (16) Claim of Alyssa Walz, Gregory Walz and Jenny Walz, for damages alleged to have been sustained as a result of a vehicle accident on September 11, 2007 at the intersection of Howell Mill Road and Chattahoochee Highway. **\$1,298.60** **(Held 1/29/08 at request of the Law Department)**

HELD

- 08-O-0190 (17) An Ordinance by Councilmember H. Lamar Willis to amend Chapter 30, Article II of the City Code of Ordinances to reflect new fees for owners of Adult Entertainment establishments which sell alcohol to provide for certain programs for the prevention of sexual assault; and for other purposes. **(Held 1/29/08 at the request of the author)**

HELD

- 08-O-0398 (18) An Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Vehicles for Hire, to provide for a definition of Taxicab Safety Equipment; to require signage on applicable taxicabs alerting passengers to the presence of a Digital Security Camera System; to require the

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PAPERS HELD IN COMMITTEE (CONT'D)

installation of taxicab safety equipment in all taxicabs; to authorize the Chief of Police or his/her designee to establish, issue and revise rules, procedures and regulations to govern the specifications, installation and maintenance of the taxicab safety equipment, and to provide for enforcement of rules, procedures and regulations for the purpose of protecting the safety of taxicab drivers and passengers; and for other purposes. **(Held 3/11/08) (Work Session held 3/19/08)**

HELD

- 08-R-0400 (19) A Resolution by Public Safety and Legal Administration Committee to authorize the City Attorney to accept on behalf of the City of Atlanta Department of Law, the donation of training from various Law Firms and other entities; and for other purposes. **(Held 2/26/08 for further review)**

HELD

- 08-R-0474 (20) A Resolution by Public Safety and Legal Administration Committee authorizing the City Attorney to extend a retainer agreement with the Law Firm of Morris, Manning & Martin, LLP to serve as outside counsel to the City of Atlanta in connection with cases styled: Veolia Water North America Operating Services, LLC F/K/A U. S. Filter Operating Services, Inc. v City of Atlanta, Civil Action No. 06-CV-1457, City of Atlanta v. Veolia Water North America Operating Services, F/K/A U.S. Filter Operating Services, Inc., Civil Action No. 2006-CV-119510; City of Atlanta v. Veolia Environment, S.A. F/K/A Vivendi Environment, S.A., Civil Action No. 1:06-CV-1631, Veolia Water North America Operating Services, LLC F/K/A U.S. Filter Operating Services, Inc., Civil Action No. 2006-CV-118577 to authorize expenditures for that purpose in an amount not to exceed \$1,500,000.00, to be charged to and paid from Fund, Account and Center Number: 2J01 (Water and Wastewater) 524001 (Professional Consultant Services) Q30001 (Deputy Commissioner, Treatment & Collection). **(Held 3/11/08 for further review)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 08-O-0507 (21) An Ordinance by Councilmember Mary Norwood to create a new Section 105-15 of the Code of Ordinances of the City of Atlanta, Georgia, to be entitled "Loitering"; and for other purposes. **(Held 3/11/08 for further review by the Law Department)**

HELD

- 08-O-0824 (22) An Ordinance by Councilmembers Ceasar C. Mitchell, Cleta Winslow, Joyce M. Sheperd, Mary Norwood, C. T. Martin, Ivory L. Young, Jr., Kwanza Hall and H. Lamar Willis to amend Article V (Entitled "Offenses by and against Minors") of Chapter 106 of the Code of Ordinances of the City of Atlanta, Georgia, by creating a new Section 106-229 to be entitled "Day-Time Curfew" so as to impose a Day-Time Curfew on minors, ages six (6) to sixteen (16) years; and for other purposes **(Held 4/29/08 per the Department of Police to have discussion with the Atlanta Board of Education.)**

HELD

- 08-O-0843 (23) An Ordinance by Councilmember Natalyn M. Archibong amending Sections 10-1, 10-88 and 10-88.1 of the Code of Ordinances of the City of Atlanta, by adding a paragraph to define the term "Specialty Food Shop" and by adding and amending paragraphs to create distance requirements for same; and for other purposes. **(Held 4/29/08 for two week certain per the author to have a discussion with the Law Department.)**

HELD

- 08-R-0845 (24) A Resolution by Councilmembers Ceasar C. Mitchell and C. T. Martin expressing the Atlanta City Council's support and encouragement of the Atlanta Police Department increasing the number of members of the City's Red Dog Unit from its current strength to not less than seventy-five (75) officers in order to have an effective number of personnel in order to combat street level drug trafficking; and for other purposes. **(Held per the Committee so that the Law Department can review.)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 08-O-0849 (25) An Ordinance by Councilman C. T. Martin to amend Section 162-260 (a), (Entitled "Fees Charged by Vehicle Immobilization Service") of the Code of Ordinances of the City of Atlanta, Georgia, so as to increase the allowable fee charged by vehicle immobilization Services, to the owner of any immobilized vehicle or personal property, from \$50.00 per day to \$75.00 per day; to waive conflicting ordinances; and for other purposes. **(Held 4/29/08 for a public hearing.)**

HELD

- 08-O-0878 (26) An Ordinance by Finance/Executive Committee amending Chapter 98, Article II, Division 1, of the Code of Ordinances of the City of Atlanta, Georgia, on behalf of the Department of Police, by creating a new Section 98-46 Entitled "Fees for Fingerprinting Services" and renumbering the succeeding sections accordingly, for the purpose of authorizing the assessment of a fee for Fingerprinting Services which are provided by the Department of Police to the public, in order to off-set the costs of providing such services, such fee to be accounted for by the Department of Police and paid into the City's Treasury; to exempt applicants for employment with the City of Atlanta from paying this fee; and for other purposes. **(Advertised for a Public Hearing 6/10/08 at 3:00 p.m.) (Held 5/13/08 for a Public Hearing)**
- 08-O-0879 (27) An Ordinance by Finance/Executive Committee **as substituted Public Safety and Legal Administration Committee** to amend the Charter of the City of Atlanta, Georgia adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 GA. Laws P. 4469, et seq., by amending Article IV, Sections 4-47, 4-106 and 4-110, as well as Article IV, Chapter 2, Sections 2-135 and 2-396, and Article II, Chapter 62, Section 62-28 of the Code of Ordinances of the City of Atlanta, Georgia, so as to consolidate the Solicitor's Office with the Department of Law; to effectuate a reorganization of the Department of Law and Solicitor's Office; and for other purposes. **(Substituted and held 5/27/08)**

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PAPERS HELD IN COMMITTEE (CONT'D)

(Councilmember Martin made a motion to adverse. Councilmember Fauver made a substitute motion to forward with no recommendation. Councilmember Fauver withdrew her motion. Councilmember Smith made a substitute to hold.)

SUBSTITUTED AND HELD (5 YEA'S) WINSLOW, SMITH, FAUVER, WILLS, SHEPERD (NAY) MARTIN

- 08-R-0985 (28) A Resolution by Public Safety and Legal Administration Committee authorizing the Chief Financial Officer to establish a Trust Fund Account, on behalf of the Department of Corrections, for the purpose of depositing funds received from Fulton County; said funds to be used for rebuilding/upgrading infrastructure and incorporating security enhancements at the Atlanta City Detention Center; and for other purposes.
(Councilmember Smith made a motion to approve.

FAVORABLE

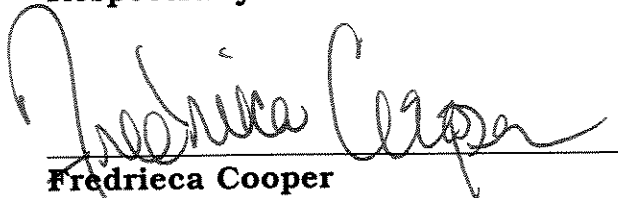
H. REQUESTED ITEMS

1. Councilmember Winslow made request that Karen Rogers from the Weed and Seed Program appear before the next Committee Meeting 6/10/08 to explain the Weed and Seed Program.


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There being no further business to come before the Committee, the meeting was adjourned at 6:34 p.m.


Respectfully Submitted:



Fredriecca Cooper
Legislative Assistant



Alfred Berry, Jr. for Bernard Thomas
Research and Policy Analyst



The Honorable Cleta Winslow, Chair
Public Safety and Legal Administration Committee